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CUPE Local  
Section locale **2745**

**CANADIAN UNION OF PUBLIC EMPLOYEES**

**LOCAL 2745**

# **BYLAWS**

Approved by the National President on September 2021

Revised: July 2021

**CUPE·SCFP**  
On the front line • Au cœur de l'action

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## SECTION 1 – NAME AND JURISDICTION

- 1.01** This provincial organization, chartered by Canadian Union of Public Employees, shall be known as the Canadian Union of Public Employees, Local 2745, and shall be subject to the National Constitution.
- 1.02** This Local shall have jurisdiction as bargaining agent for all New Brunswick School District employees in Clerical, Administrative Assistants, Speech Therapy Assistants, School Library Workers, Educational Assistants, Student Attendants, School Intervention Workers and District Administrative Support, Levels II, III, IV, V, Part II, First Schedule of the New Brunswick Public Service Labour Relations Act.
- 1.03** Membership shall be composed of all employees as described in Article 1.02.

## SECTION 2 – OBJECTIVES

The objectives of the Local are to:

- 2.01** Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- 2.02** Support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- 2.03** Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- 2.04** Encourage the settlement, by all honourable means, of all disputes between the members and their employers;
- 2.05** Promote harmony, unity and cooperation among all union members;
- 2.06** Negotiate a province-wide collective agreement covering all members of the bargaining unit as described above.

## SECTION 3 – INTERPRETATION AND DEFINITIONS

- 3.01** Whenever the gender-neutral (they/them) appears in this agreement it shall also mean all genders.
- 3.02** Numbers of articles at the end of sections or subsections refer to relevant articles of Appendix “B” of the CUPE Constitution, which should be read in conjunction with these Bylaws.
- 3.03** National Office refers to CUPE headquarters and the abbreviation “CUPE” is always used with a national connotation, unless stated otherwise.
- 3.04** **Local** – when used in these Bylaws shall mean Provincial Local of 2745 in Section 1 of these Bylaws
- a) Provincial Inner Executive – The Provincial Inner Executive will consist of the Provincial President, Provincial Vice President, Provincial Recording Secretary, Provincial Secretary Treasurer
  - b) Provincial Executive Board – The Provincial Executive Board will consist of the Provincial Inner Executive and seven (7) Regional Vice Presidents
  - c) Provincial Board – The Provincial Board shall consist of the Provincial Inner Executive, seven (7) Regional Vice Presidents and 21 Zone Shop Stewards
- 3.05** **Trustees** – Three (3) elected trustees responsible for auditing the books of the Local
- 3.06** **Emergency** – something that was not known 12 hours before its occurrence.
- 3.07** **Bylaws** – shall mean the regulations governing the Local.
- 3.08** **Regions and Zones** – geographic areas as laid down in Section 13 of these Bylaws.
- 3.09** **Annual General Meeting (AGM)** – shall mean the Annual General Meeting of the Local and the abbreviation AGM shall be used throughout the bylaws.
- 3.10** **Local Union Constitution** – shall mean these Bylaws.

- 3.11 National Constitution** – shall mean the National Constitution of the Canadian Union of Public Employees.
- 3.12 Canadian Union** – shall mean the Canadian Union of Public Employees.
- 3.13 National** – shall mean the National Office of the Canadian Union of Public Employees.
- 3.14 Constitution** – where used alone shall mean the National Constitution of the Canadian Union of Public Employees.
- 3.15 “Annual General Membership Meetings”** – shall mean all duly called meetings outlined in Section 15.03 of these Bylaws.

## **SECTION 4 – STRUCTURE OF LOCAL ON THE PROVINCIAL LEVEL**

The Local shall have the following provincial officers who shall be officially elected by majority vote and sworn into office at the AGM, which will be held in the month of May of each year.

The Inner Executive Officers may not hold the position of Regional Vice President, Chief Shop Steward or Zone Shop Steward.

### **4.01 President**

The Provincial President will be a full-time position. That the remuneration be that of the highest classification in the bargaining unit. This Local shall reimburse the employer for all wages and benefits. The newly elected president shall be elected on odd years and serve a term of two (2) years.

### **4.02 (a) Vice President**

The newly elected Provincial Vice President shall be elected on even years and serve a term of two (2) years.

(b) Bilingual Vice President

As per Article 5.02 (b).

### **4.03 Secretary-Treasurer**

The newly elected Provincial Secretary-Treasurer shall be elected on odd years and serve a term of two (2) years.

#### **4.04 Recording Secretary**

The newly elected Provincial Recording Secretary shall be elected on even years and serve a term of two (2) years.

#### **4.05 (a)** Seven (7) Executive Board Members shall be elected in the following manner:

Regional Vice Presidents elected the members of their Region at the AGM Meeting shall automatically become a member of the Provincial Executive Board. The position of Regional Vice President shall be elected on odd years and serve a two (2) year term. These elections shall be majority vote.

**(b)** A Chief Shop Steward shall be elected from among the three (3) Zone shop stewards within that region. The position of the Chief Shop Steward shall be elected on even years and serve a two (2) year term. These elections shall be majority vote.

#### **4.06** A Regional Vice President or Shop Stewards are eligible to run for any Executive Position, but no member may hold two (2) elected positions on the provincial board.

#### **4.07** Should any vacancy occur among the Provincial Board, the Provincial Inner Executive shall have the authority to fill such vacancy for the balance of the term.

#### **4.08 Trustees**

Mandate: 3 years      2 years      1 year

Trustees shall be elected at the AGM. The Trustee receiving the largest number of votes shall be elected for a three (3) year term, the Trustee receiving the second largest vote shall be elected for a two (2) year term and the Trustee receiving the third largest number of votes shall be elected for a one (1) year term. Subsequently, one (1) Trustee shall retire each election year as the term for which such Trustee was elected expires and succeeding Trustees shall be elected for a three (3) year term. The retiring Trustee shall be eligible for re-election.

The committee shall select a chairperson. If a vacancy occurs during a term of office, the Provincial Inner Executive will appoint a replacement until the next AGM when an election shall be held to fill the unexpired term of office in order to prevent overlapping in terms of office.

The plurality rule will apply for the trustees' elections. To win, a candidate must have more votes than their opponent. In the example that 3 delegates must be elected on six (6) candidates, the three with more votes will be declared elected.

- 4.09** After nominations, each nominee shall be given a maximum five minutes to speak if they so wish before taking a vote.

## SECTION 5 – DUTIES OF PROVINCIAL OFFICERS

- 5.01 President** – The President shall chair at all meetings of the Local Union; sign all orders on the Treasury when ordered by the Local Union; and transact such other business which may be necessary for the proper functioning of the Local Union. Any President, who cannot qualify for a bond, shall immediately be disqualified from their office and the Local Union shall proceed with the election of another President or the Provincial Executive Board may appoint a President to fill the unexpired term of office. The President shall attend all adjudications and Board hearings where possible.

At the end of their mandate, the President shall turn over to their successor all properties and assets, including funds, books and records belonging to the Local Union.

- 5.02 (a) Vice President** – The Vice President shall perform the duties of the President in the absence of that officer and, in the case of the resignation or death of the President, shall perform the duties of the President until such vacancy is filled as provided for in the Local Union Constitution. They shall also preside when called upon by the President and at times when the President may be temporarily unable to discharge their duties. The Vice President shall, if directed by the President, attend all adjudication and Board hearings where possible. At the end of their mandate, the Vice President shall turn over to their successor, all properties, and assets, including funds, books and records belonging to the Local Union.
- (b)** Should the President and Vice President be unilingual a second bilingual Vice President who shall be bilingual, be officially elected by majority vote at the AGM. The bilingual Vice President shall not hold the position of Regional Vice President, Chief Shop Steward, or Zone Shop Steward. The bilingual Vice President shall not replace the Provincial President at any time. The only duty that this position is

responsible for is to communicate with the employer and/or designates. This position will be part of the Inner Executive Board.

**5.03 Secretary-Treasurer** – The Secretary-Treasurer shall keep all financial accounts of the Local Union and shall maintain correct and proper accounts of all its members. They shall receive all initiation fees, dues, assessments, and fines from members of the Local Union and shall deposit same in the name of the Local Union in such bank or credit union as the Union may direct. They shall make all disbursements for the Local Union as provided for in Article B.4.4. of the National Constitution. A monthly report shall be prepared and presented to the Provincial Executive Board and annually to the delegates at the AGM. It shall be the duty of the Secretary-Treasurer to keep on file all receipts for money sent to the CUPE National office during the year.

The Local Union shall be properly bonded with a faithful performance of duty bond for the positions of President, Secretary-Treasurer, Vice President and Recording Secretary. Such coverage shall be as follows:

President	\$10,000	Vice President	\$5,000
Secretary Treasurer	\$10,000	Recording Secretary	\$5,000

The Secretary-Treasurer shall forward to the National Secretary-Treasurer of CUPE, on the official monthly report forms provided, not later than the 15<sup>th</sup> day of each month, all financial obligations owing to the CUPE National Office. They shall forward one dollar (\$1) of each initiation fee on all members admitted, (except for those named on the list forwarded with the application for charter), along with the per capita tax on all dues received by the Local Union. The report shall also set out the number of members on whom per capita is being paid.

The Secretary-Treasurer of the provincial Local shall turn over the books of the Local Union to a chartered accountant approved by the Provincial Executive Board as deemed necessary or in the event of the change of Secretary Treasurer.

The accountant may examine the books and records of the Secretary-Treasurer and inspect or examine all properties, bonds, and all other assets of the Local Union and shall report their findings to the Provincial Executive Board following the end of each half year on the condition of the funds and accounts, the number of members in good standing, the number of members initiated, expelled or suspended, admitted or withdrawn, together with such other information they may deem necessary to the

efficient and honest administration of the Local Union. The accountant shall transmit a copy of such report to the National Secretary-Treasurer of CUPE.

The Trustees shall then report to the membership at the AGM the findings of the accountant.

The chartered accountant shall audit the books of the Local Union in accordance with Appendix B.3.11 of the CUPE Constitution.

At the end of their term of office, the Secretary-Treasurer shall turn over to their successor, all properties and assets, including funds, books and records belonging to the Local Union. Any Secretary-Treasurer who cannot qualify for a bond, shall immediately be disqualified from their office and the Local Union shall proceed with the election of another Secretary-Treasurer or the Provincial Executive Board may appoint a Secretary-Treasurer to fill the unexpired term of office.

The Secretary Treasurer will get one (1) paid day, if needed, every two (2) weeks to help with their responsibilities.

**5.04 Recording Secretary** – The Recording Secretary shall keep a correct, full, and impartial record of the proceedings of all meetings of the Provincial Executive Board. They shall read them at the next appropriate meeting for approval. They shall refer all correspondence to the Provincial Executive Board and read such as requested. They shall receive and issue all correspondence of the Local, except that of a monetary nature. In addition, it shall be their responsibility to make hotel/motel reservations, accommodations for meetings, send out notices of meetings and perform such other duties assigned by the President in conjunction with the Provincial Executive Board.

At the end of their mandate, the Recording Secretary shall turn over to their successor, all properties, and assets, including funds, books and records belonging to the Local Union.

Any Recording Secretary who cannot qualify for a bond, shall immediately be disqualified from their office and the Local Union shall proceed with the election of another Recording Secretary or the Provincial Executive Board may appoint a Recording Secretary to fill the unexpired term of office.

The Recording Secretary will get one (1) paid day, if needed, every two (2) weeks to help with their responsibilities.

**5.05 Regional Vice Presidents** – Regional Vice Presidents shall act as executive members of the Provincial Executive Board and shall fulfil their duties as outlined in 13.07.

The Regional Vice-President will get one (1) paid day, if needed, every two (2) weeks to help her in her responsibilities

**5.06 Trustees** – The Trustees shall examine and audit the books and records of the Secretary-Treasurer and inspect or examine all properties, bonds, and all other assets of the Local every six months and shall report to the next executive board meeting following the end of each audit on the condition of the funds and accounts. The Trustees shall present a copy to the inner executive and forward a copy to the National Secretary-Treasurer.

## **SECTION 6 – PROVINCIAL EXECUTIVE BOARD**

**6.01 (a)** The Local shall have a Provincial Executive Board which shall be comprised of the following provincial officers: President, Vice President, Secretary-Treasurer, Recording Secretary and seven (7) Regional Vice Presidents. Regional Vice Presidents may not hold the position of President, Vice President, Secretary-Treasurer, Recording Secretary or Trustee.

**6.02** The Provincial Executive Board or a majority of the Provincial Board shall govern the Local between AGM.

**6.03** The Provincial Executive Board shall meet on a quarterly basis but may be called together at any time by the President or by a decision of more than 50% of the Provincial Executive Board.

**6.04** Advance notice of at least fourteen (14) days will be given for regular Board meetings except in cases of emergency or for special Provincial board meetings.

**6.05** A quorum for decision making at any Provincial Board meeting shall be a majority of the Provincial Board as constituted.

**6.06** Minutes of Provincial Executive Board Meetings will be sent to all the Provincial Executive Board members, Coordinator of the Local within a reasonable time following the Provincial Board meeting.

**6.07** The Provincial Executive Board shall hold title to any real estate or properties of the Local. They shall have no right to sell, convey or encumber any real

estate without first giving notice and then submitting the proposition to an AGM Meeting and having such proposition approved.

- 6.08** If an officer fails to attend three consecutive membership meetings, board meetings or three consecutive executive meetings without good and sufficient reason, their office will be declared vacant and filled at the next provincial board meeting.

## **SECTION 7 – MONETARY STRUCTURE OF THE LOCAL**

- 7.01 (a)** The membership fee to join this Local Union will be \$1 per member; of which will go to the Provincial Secretary-Treasurer to be sent to National Secretary Treasurer. The Regional Vice President will be responsible to collect the fees.
- 7.02 (a)** The dues structure of the Local will be as follows: 2% of wages for all members.
- (b)** In the event of a strike, designated workers will pay (over and above the regular dues) 10% of their gross wage. This raise in union dues will be in effect until the end of such strike and the funds will be used for the sole purpose of providing strike pay to those members that are on strike and qualify for strike pay.
- 7.03** All dues will be placed in the Local's treasury and all disbursements will be made by cheque from the Local's treasury.
- 7.04** The signing officers of this Local on all cheques will be the Secretary-Treasurer who will be bonded in an amount not less than \$10,000 and either the President, Vice President or Recording Secretary.
- 7.05** The Secretary-Treasurer will be responsible for the treasury of the Local for disbursements from the treasury and it will be their responsibility to see that all legitimate bills are paid promptly. Vouchers shall be recommended by the Secretary-Treasurer and approved by the President.
- 7.06** When the Provincial Board members or Trustees are required to perform their elected duties on working days, wages will be paid at the rate the employee would earn if they were working at their regular employment with exception of any meetings paid for by the employer.
- 7.07 (a)** Mileage and meal rates will be as determined by CUPE NB

*Current CUPE NB Rate (Subject to change) Mileage 58¢ per kilometer*

*In-province per diem will be \$65 per day broken down as follows:*

*Breakfast: \$15    Lunch: \$20    Dinner: \$30*

Out-of-province per diem shall be \$100 per day. Lodging will be at hotel/motel rates. When travelling other than by vehicle, the Local will reimburse for the actual cost of transportation.

**(b)** Where accommodation is available for Union business of more than one day's duration, a member of the Provincial Board or a Trustee who chooses to travel daily, shall receive on the first day the current mileage rate and on subsequent days they will receive the lowest rate between accommodation or mileage. This section does not apply to emergencies or uncontrollable circumstances.

#### **7.08** Child/Dependent Care Allowance

Members of the Provincial Board and trustees who have to pay dependent care expenses in order to fulfill their duties, rates will be as determined by CUPE NB (24 hours) per family.

No child/dependent care allowance will be paid when receiving regular wages. Duly signed receipts must accompany requests for reimbursement.

Dependent care guidelines shall be amended "as needed" to reflect the change in dependent care by the Executive Board at the next Executive meeting, following the AGM. The Regional Vice Presidents will be responsible for presenting the updated guidelines to their membership, in each individual Zone, at the next Zone meeting following the Executive Board Meeting.

#### **7.09** On-site Child Care

**(a)** On-site childcare shall be provided for any CUPE 2745 functions/meetings, if necessary, at the discretion of the Inner Executive Officers. This article is not intended to apply to Zone Meetings.

**(b)** When a member attends a function/meeting hosted by CUPE Local 2745 and childcare is required but meals are not provided, they will receive meal rates as follows: Breakfast \$10, Lunch \$10 and Dinner \$10 per child in their care which will apply for children 12 years or younger.

## SECTION 8 – AFFILIATIONS

- 8.01** The Local may become affiliated to the New Brunswick Federation of Labour and to CUPE New Brunswick.
- 8.02** The Local may authorize its Regions to become affiliated to District Labour Councils and CUPE councils where such exist.
- 8.03 (a)** Election of delegates to conventions and election of their alternates – President, Vice President, Secretary-Treasurer and Recording Secretary shall have first option to attend conventions. Any other delegate or alternate thereof will be elected by a majority vote of the Provincial Executive Board or Provincial Board.
- (b)** Where the Provincial Board members attending seminars, conferences or conventions other than local 2745, they must share a room. Those who choose not to share a room must pay half the cost of the room for each night that this room is necessary.

### **8.04** CUPE NB Annual Convention

The Provincial Board may attend the CUPE NB Annual Convention. This would be an option not an obligation.

## SECTION 9 – PROVINCIAL COMMITTEES AND FUNCTIONS

- 9.01 Special Committees** – The Provincial Inner Executive Board of the Local shall have the authority to appoint and disband special committees from time to time to handle matters of a special nature, which may arise between each AGM.

**Functions** – It shall be the duty of any special committee to act on their terms of reference laid down by the President and Provincial Inner Executive Board.

- 9.02 (1) Grievance Committee** – The Provincial Grievance Committee will consist of the President, Vice President, Recording Secretary, Secretary Treasurer and the Regional Vice President concerned. It will be the duty of this committee to police all grievances.

**(2) Labour-Management Committee** – This Committee shall consist of the President, Vice President, Recording Secretary and Secretary-Treasurer. This

shall be a Standing Committee as such, but the Provincial Inner Executive shall have the power to add members to or delete members from this committee, as the occasion necessitates.

**(3) Pension Committee** – The number of members on the full-time and part-time Pension Committees will be regulated by the Pension Plan documents of each Pension Plan. Members of the Inner Executive Board will sit on each Pension Committee.

**Functions** – This committee shall be responsible to serve on the provincial Pension Committee, in conjunction with the Treasury Board, and oversee the Pension Plan as it relates to the members of CUPE Local 2745.

**(4) Negotiating Committee** – This committee shall consist of the President, Vice President, Secretary-Treasurer, Recording Secretary and seven (7) Regional Vice Presidents. Notwithstanding 10.01 in these Bylaws, the Provincial Executive Board shall have the authority to add as many additional members to the Negotiating Committee as it deems necessary. This committee shall remain in place until a new collective agreement has been ratified.

**Functions** – The function of this committee is to formulate collective bargaining proposals of its own as well as to reflect the priorities of the membership, if possible, from the AGM, and will be responsible for the negotiating of the collective agreement. When a tentative agreement has been reached, it shall be the responsibility of this committee to present the tentative agreement to the Provincial Board and to the membership. This committee shall recommend acceptance or rejection of the tentative agreement.

**9.03 Standing Committees** – The following standing committees shall be elected by the Provincial Board and a member shall sit on not more than two (2) committees. These will be a two (2) year term. The plurality rule will apply for these elections. Each of the following committees will have an additional delegate who does not sit on the Provincial Board elected from the floor of the AGM to sit on the Health and Safety, Bylaws, Education, Pay Equity/Women's and Resolutions.

**(1) Health & Safety Committee** – This committee shall be elected and will be comprised of five (5) members who are Regional Vice Presidents or Zone Shop Stewards and one additional member elected from the delegates on the floor at the AGM.

**Functions** – This committee shall be involved in the establishment and enforcement of policy including safety practices and other related duties.

- (2) Sick Leave Bank Committee** - This Committee shall be elected and will comprise of three (3) members with the Provincial President as Advisor.

**Functions** – The Provincial Sick Leave Bank Committee shall oversee the Sick Leave Bank Program on a provincial level.

- (3) Bylaws Committee** – A provincial Bylaws Committee shall be elected and will be comprised of five (5) members who are Regional Vice Presidents or Zone shop Stewards and one additional member elected from the delegates on the floor at the AGM.

**Functions** – The By Law Committee will review the By Laws annually and make recommendations to the Provincial Executive Board on proposed amendments. They will review any proposed amendments received from the Executive Board or membership at the local to ensure that the amendment will conform to the remainder of the By Laws and the CUPE National Constitution. Ensure that the local union's By Laws are written in clear language, ensuring that clear language does not change the intent or meaning of the By Law.

- (4) Education Committee** – This committee shall be elected and be comprised of the Secretary-Treasurer who will act as Advisor and five (5) members who are Regional Vice Presidents or Zone Shop Stewards and one additional member elected from the delegates on the floor at the AGM.

**Functions** – The Provincial Education Committee shall be responsible for all education and educational functions of the Local on a provincial scale. This committee shall coordinate functions of an educational nature between the Provincial Executive Board and the CUPE Education Representative for the Province. This committee shall submit a report to the Executive Board and to the AGM each year outlining its activities and provide a list of the names of the members who attended courses and which ones they attended.

- (5) Pay-Equity/Women's Committee** – This committee shall be elected and will be comprised of five (5) members who are Regional Vice Presidents or Zone Shop Stewards and one additional member elected from the delegates on the floor at the AGM.

**Functions** – The Provincial Pay Equity/Women's Committee (PPE/WC) shall be responsible to study and to promote pay equity and women's issues within CUPE Local 2745. Improving life of working women within Local 2745, lobby CUPE NB and the NB Federation of Labour to promote women's concerns that include working conditions, childcare, pay equity, domestic violence, and any other issues pertaining directly to women. The (PPE/WC) shall also endorse the creation of women's committees within our Regions.

- (6) Public Relations Committee** – This Committee shall be elected and will consist of five (5) members who are Regional Vice Presidents or Zone Shop Stewards when required for events and special projects.

**Functions** – This committee shall be responsible to promote the positive image of Local 2745.

- (7) Resolutions Committee** – A Provincial Resolutions Committee shall be elected and shall consist of five (5) members who are Regional Vice Presidents or Zone Shop Stewards and one additional member elected from the delegates on the floor at the AGM.

**Functions** – The Resolutions Committee shall be responsible to prepare and write up resolutions in clear language. These resolutions will be presented to the Provincial Executive Board for approval, then forwarded to CUPE NB, to the NBFL or other affiliates for union or social affairs. The resolution committee will report back at the AGM on the past year's resolutions and how they've been actioned.

- (8) Youth Committee** - This Committee is elected and consist of three (3) members who are under the age of thirty-five (35) years old. Members elected to the Youth Committee shall be elected by a plurality vote at the AGM. A member of the Provincial Inner Executive will be assigned as an advisor to this committee and a member of the Provincial Board may also be elected to sit on this committee.

**9.04** One Inner Executive will be assigned as an advisor to each committee.

## **SECTION 10 – NUMBER OF MEMBERS ON COMMITTEES**

**10.01** On all committees in these bylaws or suggested herein, the number of members on any committee shall be not fewer than two; nor more than five; unless already laid down in these bylaws or dictated by the collective agreement.

## **SECTION 11 – JURISDICTION OF COMMITTEES**

**11.01** The above-noted committees shall have all reasonable and practicable authority to operate for the betterment of the Local; but in no event will any committee or member of a committee have the authority to get the Local into debt in any manner whatsoever, without the full authority of the Provincial Inner Executive.

## **SECTION 12 – COMMITTEES AND THE RECORDING SECRETARY**

**12.01** It shall be the responsibility of the Recording Secretary to have an up-to-date list of all members of all committees of the Local with the name, address, and telephone number of the committee members. They shall distribute the list to committee members, members of the Provincial Board and the Coordinator of the Local.

## **SECTION 13 – STRUCTURE (REGIONS AND ZONES)**

**13.01** For purposes of communication and understanding, CUPE Local 2745 will be divided into seven (7) Regions as follows:

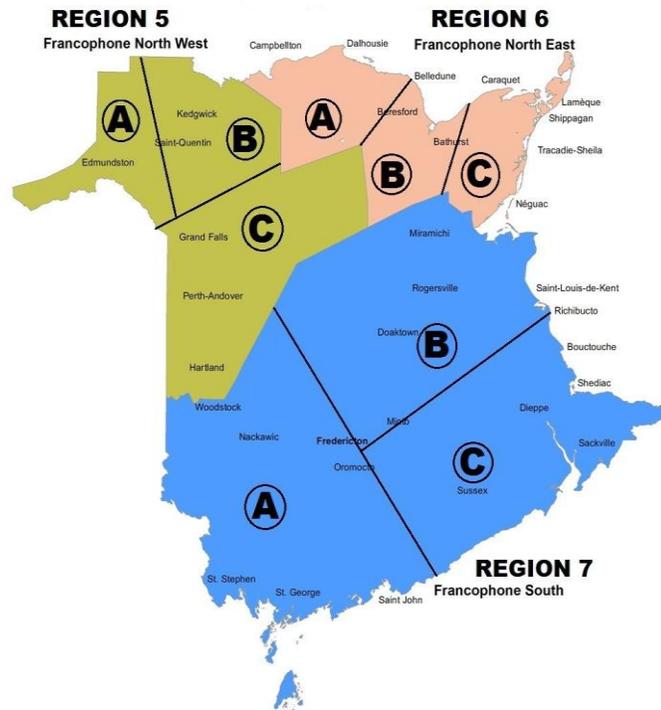
<b>CUPE 2745 REGION</b>	<b>SCHOOL DISTRICT</b>
<b>Region 1</b>	<b>Anglophone North</b>
<b>Region 2</b>	<b>Anglophone South</b>
<b>Region 3</b>	<b>Anglophone East</b>
<b>Region 4</b>	<b>Anglophone West</b>
<b>Region 5</b>	<b>Francophone North West</b>
<b>Region 6</b>	<b>Francophone North East</b>
<b>Region 7</b>	<b>Francophone South</b>

Each Region will be divided into 3 Zones (A, B, C) – as follows: the listings of the schools will be removed from the Bylaws. Should there need to be adjustments; new schools/workplaces, school/workplace closures the Provincial Executive Board will make the adjustments as necessary.

Anglophone School Districts



Francophone School Districts



- 13.02 (a)** Each Region shall have the following officers who shall be elected at the AGM: Regional Vice President, Chief Shop Steward. The position of Regional Vice President shall be a two-year term. The Chief Shop Steward shall be a two-year (opposite to election of Regional Vice President). Newly elected officers will assume their duties immediately following the AGM.
- (b)** In addition to the Shop Stewards, the Region will set up the following committees in each district, in accordance with the Collective Agreement, to ensure the proper functioning of the Region:
- i) Regional Grievance Committee – Consisting of Regional Vice-President and/or Zone Shop Stewards
  - ii) Regional Labour-Management Committee - Consisting of Regional Vice-President and/or Zone Shop Stewards
- (c)** Each Zone shall elect a Recording Secretary, Membership Officer, Joy and Sorrow Representative and Health and Safety Representative for a one-year term.
- (d)** The Zone Shop Steward shall be a two-year term (opposite to election of Regional Vice President). Newly elected officers will assume their duties immediately following the AGM.
- 13.03** The Region may also elect delegates to Labour Councils and CUPE councils where such exist and where the Region becomes affiliated.
- 13.04** The Zone may meet at least 3 times per school year and consider all matters of a Zone nature, but in no event will any individual Region/Zone have the right to overrule or interfere with any decision of the Provincial Executive Board between AGM.
- 13.05** The Zone Recording Secretary shall take minutes of all meetings, a copy of which shall be forwarded to the Regional Vice President who will then forward a copy to the Provincial Recording Secretary.
- 13.06** One-eight (1/8) of the eligible membership shall constitute a quorum for Zone meetings.

## 13.07 Duties of Region & Zone Officers

### **Regional Vice President**

The Regional Vice President may preside at all meetings of the Region/Zone. They shall transact such business as may arise pertaining to their office, as well as all transactions they may deem necessary for the proper functioning of the Local Union. The Regional Vice President must preside over all elections in their region.

Decide all questions on order and procedure of meeting (subject to appeal to the membership). Have a vote on all matters (except appeals against the rulings) and in case of a tie vote on any matter, including elections, have the right to cast the deciding vote. They shall promote harmony, unity, and cooperation among all members of the Local. They shall be an ex officio member of all standing and ad hoc committees, with voice but no vote.

### **Chief Shop Steward**

- In the case of temporary absence of the Regional Vice President the Chief Shop Steward shall perform all duties of the Regional Vice President under the direction of the Provincial President.
- Replace the Regional Vice President on the Provincial Executive Board with voice and vote if the Regional Vice President is unable to attend.
- They will work collaboratively with the Zone Shop Stewards.

### **Zone Shop Steward**

- Zone information meetings may be held as necessary; however, no elections or motions may take place at these meetings.
- The Zone Shop Steward will be available for the members in their Zone.
- They may hold zone meetings with the notification to the Regional Vice President.
- They will give assistance to members within their Zone and will report directly to the Chief Shop Steward or Regional Vice President.
- They will work collaboratively with the Chief Shop Steward and Regional Vice President.

### **Zone Recording Secretary**

- Maintain a record book of attendance at each Zone meeting.
- Keep full and accurate account of the proceedings of all membership meetings.
- Record all motions, with the movers' and seconders' names, in the minute book of the Zone.

- On termination of office, surrender all books, seals and other properties of the Zone to their successor.

### **Zone Membership Officer**

- Guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE except on the order of the Regional Vice President and by the consent of the members present.
- Perform such duties as may be assigned by the Zone from time to time.
- Obtain the names of all those awaiting initiation, reporting these to the chairperson.
- Maintain a record of all members attending meeting (i.e. have members sign in when they arrive at the meeting).
- Verify the number of members in order to advise the Regional Vice-President if there is a quorum for the meeting.

**13.08** Zone Shop Stewards may meet provincially at least once a year.

**13.09** Workplace Shop Stewards may meet at least once a year within their zones.

## **SECTION 14 – MONETARY STRUCTURE OF THE REGION/ZONE**

Any expenses Region/Zone including Joy & Sorrow reimbursements will be as established in expense guidelines by the Provincial Inner Executive and approved by the Provincial Executive Board.

## **SECTION 15 – ANNUAL GENERAL MEMBERSHIP MEETING**

**15.01 (a)** The AGM will be held annually on Friday and Saturday, as long as financially feasible and the date, time and location is to be determined by the Provincial Inner Executive and forwarded to the membership at least one month prior to the AGM. If an emergency, pandemic, or an act of God prohibits the holding of the meeting in this month, then it shall be held on a later date, when circumstances permit, selected by the Provincial Executive Board.

**(b)** On-site Child Care will be provided, if necessary, at the AGM.

**(c) Credential Committee** – The Credential Committee shall:

- assist the Provincial Vice President and Recording-Secretary in maintaining the record of membership attendance at meetings.
  - perform such other duties as may be assigned by the Board from time to time.
  - be appointed at or before the AGM.
- (d) Membership Officer** - The Membership Officer Shall:
- guard the inner doors and admit no one but delegates or guests with credentials except on the order of the President and by consent of the delegates present.
  - not permit any delegate to return during voting.
- 15.02 Notice of Meeting** – There shall be at least a 30 day's notice of meeting in writing given to each Region and Zone and the Region/ Zone shall inform its members of the AGM immediately upon receiving this notice.
- 15.03 (a) Delegates to the Annual General Membership Meeting** – Zone meetings shall be held within two (2) months prior to the AGM. At this meeting the Zone will elect eight (8) delegates including the Zone Shop Steward, Recording Secretary and Membership Officer should they choose to attend AGM. These eight delegates will be the members attending the AGM. In addition to the eight delegates, the Zone shall elect five (5) alternates who shall be used to replace a delegate at the AGM, should the delegate be unable to attend. The Zone will notify the provincial Recording Secretary 2 weeks prior to the AGM of the names of the delegates and alternates. The final list of delegates will be given to the provincial recording secretary a week prior (7 days) to the commencement of the executive board meeting prior to the AGM and no changes of names or number of delegates will be permitted after this deadline. The delegates who attend the AGM are the officers who held the position the previous year.
- (b) Eligibility** – All members of Local 2745 in good standing with the Local are eligible to be delegates at AGM, with voice and vote, subject to the rulings of the chairperson, the rule of order as laid down in these Bylaws and the National Constitution.
- (c)** The provincial officers and trustees shall automatically be delegates to the AGM with voice and vote.

#### 15.04 Order of Business

- (a) The agenda and order of business will be distributed with the notice specified in 15.02.
- (b) In situations not covered by these Bylaws, the National Constitution will apply, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

**15.05 Rights of the Region** – Any Region shall have the right to add items to the agenda of the order of business provided, however, that the Recording Secretary of the Zone must have the items to be added in the hands of the Provincial President of the Union at least forty (40) days prior to the date of the Annual Membership Meeting.

**15.06 Payment of Expenses** – Any member attending an AGM of the Local shall be paid mileage in accordance with Section 7.07 of these Bylaws. Any other expenses incurred by members attending the AGM shall be previously approved by the Provincial Inner Executive.

**15.07** The Bylaws will be presented to the members at a Regional/Zone meeting following the last AGM of the current year half an hour before the meeting.

### SECTION 16 – OUT-OF-POCKET EXPENSES

**16.01 (a)** In order to meet the personal liabilities incurred in fulfilling the position of PRESIDENT, they shall receive six hundred and sixty six dollars and sixty seven cents (\$666.67) every second month as an out-of-pocket expense.

(b) In order to meet the personal liabilities incurred in fulfilling the position of VICE PRESIDENT, they shall receive five hundred dollars (\$500.00) every second month as an out-of-pocket expense.

(i) In order to meet the personal liabilities incurred in fulfilling the position of Bilingual VICE PRESIDENT, they shall receive ½ of the Vice President's out-of-pocket expense every second month.

(c) In order to meet the personal liabilities incurred in fulfilling the position of SECRETARY-TREASURER, they shall receive five hundred dollars (\$500.00) every second month as an out-of-pocket expense.

- (d) In order to meet the personal liabilities incurred in fulfilling the position of RECORDING SECRETARY, they shall receive five hundred dollars (\$ 500.00) every second month as an out-of-pocket expense.
- (e) In order to meet the personal liabilities incurred in fulfilling the position of REGIONAL VICE PRESIDENT, they shall receive two hundred and fifty dollars (\$ 250.00) every second month as an out-of-pocket expense.
- (f) In order to meet the personal liabilities incurred in fulfilling the position of CHIEF SHOP STEWARD, they shall receive three hundred dollars (\$ 300.00) every six months as an out-of-pocket expense.
- (g) In order to meet the personal liabilities incurred in fulfilling the position of ZONE SHOP STEWARD, they shall receive two hundred and fifty dollars (\$ 250.00) every six months as an out-of-pocket expense.

$\left\{ \begin{array}{l} \text{for further clarification – the Chief Shop Steward and Zone Shop Steward} \\ \text{out-of-pocket expense cannot be stacked. The Chief Shop Steward is the} \\ \text{Zone Shop Steward} \end{array} \right\}$

- 16.02 (a)** In the event a member does not complete her term of their office, the above honorariums shall apply on a prorated basis.
- (b)** Upon retirement/resignation a monetary acknowledgement for members or their beneficiary. Application shall be made to the Provincial Secretary-Treasurer 30 days in advance accompanied by seniority lists and letter of retirement to verify years of employment.

## SECTION 17 – STAFF REPRESENTATIVES

**17.01** Staff Representatives may attend meetings of the Regions/Zones, Provincial Executive Board and Provincial Local with voice but without vote.

## SECTION 18 – SPECIAL MEMBERSHIP

**18.01** The Local may grant special membership such as lifetime membership for retiring members or to any previous member who has made a significant contribution to the Local.

## **SECTION 19 – AMENDMENTS TO THE BYLAWS AND SUBMISSIONS OF RESOLUTIONS**

**19.01** (a) Resolutions and Bylaw amendments to be introduced for consideration at the AGM shall be submitted by Region/Zone upon a 2/3 vote of those present at a valid Zone meeting. If passed at a Zone meeting they shall be prepared, and signed by the Regional Vice President and sent to the Provincial Recording Secretary forty five (45) calendar days prior to the opening of the AGM.

(b) Resolutions dealing with matters that have arisen less than forty-five (45) calendar days prior to the opening of the AGM can only be dealt with on majority consent of the delegates at the AGM.

**19.02** These Bylaws shall not be amended, added to, or suspended except upon a 2/3 vote of those present and voting at the AGM or at a special membership meeting.

**19.03** No change in these Bylaws shall be valid and take effect until approved by the National President.

**19.04** The report of the proposed amendment to the Bylaws presented at the AGM Meeting shall include the complete actual article to be changed along with the article as amended.

All documentation and information provided by the Provincial Inner Executive shall be presented simultaneously to the Provincial Executive Board in both official languages.

[Changes approved at the Annual General Meeting in July 2021]